

CAUSE NO. 2022-70912

**SAILAWAY INVESTMENTS, LLC,
DAWEI LIANG and FAN ZHOU,**

Plaintiffs,

vs.

**JOHNNY SHI, WENJIE WANG,
and HANXIAO CHEN**

Defendants.

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

55TH JUDICIAL DISTRICT

UNOPPOSED MOTION TO WITHDRAW AS COUNSEL OF RECORD

NOW COME Henna Ghafoor of/and the law firm of MOSAIC Paradigm Law Group PC (collectively “Movants”) who file this unopposed motion to withdraw as counsel for Plaintiffs/Counter-Defendants, SAILAWAY INVESTMENTS, LLC, DAWEI LIANG, and FAN ZHOU (“Sailaway”, “Liang”, or “Zhou” individually and “Plaintiffs” collectively) pursuant to Rule 10 of the Texas Rules of Civil Procedure. In support thereof, Movants would respectfully show the Court as follows:

1. An attorney may withdraw from representing a party only upon written motion for good cause shown. TEX. R. CIV. P. 10. Although the rule does not define "good cause," courts view the Texas Disciplinary Rules of Professional Conduct as guidelines articulating considerations relevant to a "good cause" determination supporting a Rule 10 motion to withdraw. *Spiller v. Tex. A&M Univ. Sys.*, No. 13-16-00041-CV, 2016 Tex. App. LEXIS 8326, at *7 (Tex. App.—Corpus Christi Aug. 4, 2016).

2. Under the Texas Disciplinary Rules of Professional Conduct, a lawyer shall withdraw from the representation of a client, if the lawyer is discharged, with or without good cause. TEX. DISCIPLINARY R. PROF'L CONDUCT 1.15 (a)(3). A discharged attorney thus may withdraw without any consideration of prejudice to the client. *Pjetrovic v. Home Depot*, 411 S.W.3d 639, 644 (Tex. App.—Texarkana 2013, no pet.).

3. On June 16, 2023, Plaintiffs expressly discharged Movants from further representation in this matter and indicated that their new counsel would contact Movants to transfer their case file. Movants inquired as to when a motion for substituted counsel would be filed for this purpose. To date, Plaintiffs have not responded to this inquiry nor has would-be substitute counsel contacted Movants.

4. In consideration of Plaintiffs' discharge of Movants, as well as, the Scheduling and Docket Control Order issued by the Court, Movants seek to withdraw as counsel without further delay.

5. Movants have notified Plaintiffs of the pending settings and deadlines in this case by providing to Plaintiffs a copy of this motion and the Court's Scheduling and Docket Control Order. Pending deadlines in this case are, as follows:

7/22/2023 - MEDIATION. Parties must complete mediation. The parties' failure to mediate will not be grounds for continuance of trial.

8/6/2023 - DISCOVERY. Parties must complete all discovery. Parties seeking discovery must serve requests sufficiently far in advance of the end of the discovery period so that the deadline for responding will be within discovery period.

8/6/2023 - DISPOSITIVE MOTIONS. All dispositive motions or pleas must be heard.

8/6/2023 - CHALLENGES TO EXPERT TESTIMONY. All motions to exclude expert testimony must be heard. This Order does not include exclusion based on Rule 193.6.

7/7/2023 - PLEADINGS. Parties must file all amendments and supplements to pleadings. This Order does not preclude the prompt filings of pleadings directly responsive to any timely filed pleadings.

8/25/2023 - DOCKET CALL. Parties must be prepared to discuss all aspects of trial with the Court at TIME: 9:00 AM. Failure to appear will be grounds for dismissal for want of prosecution.

9/5/2023 – TRIAL. This case is set for trial on this date. If not assigned by the second Friday following this date, the case will be reset.

6. The last known physical addresses, phone numbers and email address of Plaintiffs are as follows:

- a. Sailaway: 15510 Comal Country Dr., Cypress, TX 77433, fanzhoubiz@gmail.com
- b. Liang: 15510 Comal Country Dr., Cypress, TX 77433, daweiliang25@gmail.com
- c. Zhou: 15510 Comal Country Dr., Cypress, TX 77433, fanzhoubiz@gmail.com

7. The withdrawal is not sought to cause delay; is required under the Texas Disciplinary Rules of Professional Conduct; and can be accomplished without material adverse effect on the interests of Plaintiffs whose trial date is still over two months away.

8. **Notice to Client: You are hereby notified that the Motion for Withdrawal of Counsel is set for hearing by submission at the time and place stated in the Notice of Hearing by Submission. You do not have to agree to this Motion. If you wish to contest the withdrawal of Movants as your attorneys, you should contest in writing.**

WHEREFORE, PREMISES CONSIDERED, Movants respectfully pray that this Court enter an order discharging them as counsel of record for Plaintiffs SAILAWAY INVESTMENTS, LLC, DAWEI LIANG, and FAN ZHOU, and for such other and further relief to which they may be entitled.

Respectfully submitted,

MOSAIC Paradigm Law Group PC

By: /s/ Henna Ghafoor

Henna Ghafoor
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**COUNSEL FOR PLAINTIFFS/
COUNTER-DEFENDANTS SAILAWAY
INVESTMENTS, LLC, DAWEI LIANG,
and FAN ZHOU**

CERTIFICATE OF CONFERENCE

On June 16, 2023, undersigned counsel conferred with counsel for Defendants/Counter-Plaintiffs, Yanpin Yang, regarding the requested motion for withdrawal of counsel. Counsel for Defendants/Counter-Plaintiffs does not object to the withdrawal.

/s/Henna Ghafoor

Henna Ghafoor

CERTIFICATE OF SERVICE

I hereby certify that, on June 22, 2023, a true and correct copy of the above and the foregoing was served upon all parties and/or counsel of record as follows:

Yanpin Yang
6689 W. Sam Houston Pkwy South, Suite 302
Houston, TX 77072
Via E-Service: info@yanglawus.com
Attorney for Defendants/Counter-Plaintiffs
Johnny Shi, Hanxiao Chen, and Wenjie Wang
Sailaway Investments, LLC
c/o Fan Zhou

15510 Comal Country Dr.
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/s/Henna Ghafoor

Henna Ghafoor

Automated Certificate of eService

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Jared Pitts on behalf of Henna Ghafoor

Bar No. 24079867

jpitts@mp-lg.com

Envelope ID: 76886272

Filing Code Description: Motion (No Fee)

Filing Description: Unopposed Motion to Withdraw as Counsel of Record

Status as of 6/23/2023 8:08 AM CST

Case Contacts

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